



Entered on Docket  
March 12, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

Case No. BK-S-06-10725 LBR  
Case No. BK-S-06-10726 LBR  
Case No. BK-S-06-10727 LBR  
Case No. BK-S-06-10728 LBR  
Case No. BK-S-06-10729 LBR

In re:

USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

Chapter 11

In re:

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,  
Debtor.

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

**ORDER DENYING MOTION TO  
QUASH SUBPOENAS AND STRIKE  
2004 EXAMINATION ORDERS OR IN  
THE ALTERNATIVE FOR  
PROTECTIVE ORDER REGARDING  
USA INVESTMENT PARTNERS, LLC,  
HMA SALES, LLC, USA INVESTORS  
VI, LLC AND JOSEPH D.  
MILANOWSKI**

In re:

USA SECURITIES, LLC,  
Debtor.

Date: January 17, 2007  
Time: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Securities, LLC
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC

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1           On January 17, 2007, the Court conducted a hearing on the *Motion to Quash Subpoenas and Strike*  
 2 *2004 Examination Orders or in the Alternative for Protective Order Regarding USA Investments Partners,*  
 3 *LLC, HMA Sales, LLC, USA Investors VI, LLC and Joseph D. Milanowski* (the “Motion”) filed December  
 4 14, 2006, by USA Investors VI, LLC and Joseph D. Milanowski (docket no. 2107). Appearances of  
 5 counsel were noted on the record at the hearing.

6           Having considered the Motion, the opposition to the Motion filed on January 9, 2007 by the  
 7 Debtors (docket no. 2386), and the arguments of counsel, the Court made its findings and conclusions on  
 8 the record at the conclusion of the hearing, and it is hereby

9           ORDERED that the Motion is denied.

10          Submitted by:  
 RAY QUINNEY & NEBEKER P.C. and  
 11 SCHWARTZER & MCPHERSON LAW FIRM

12 By: /s/ Jeanette E. McPherson  
 LENARD E. SCHWARTZER, ESQ.  
 JEANETTE E. MCPHERSON, ESQ.  
*Attorneys for Debtor and Debtor-In-Possession*

13 Approved/Disapproved by:  
 LEWIS AND ROCA, LLP

14 By: /s/ Rob Charles  
 ROB CHARLES, ESQ.  
 Counsel for the Official Committee of  
 Unsecured Creditors of USA Commercial  
 Mortgage Company

15 Approved/Disapproved by:  
 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 and BECKLEY SINGLETON, CHTD.

16 By: /s/ Anne M. Loraditch  
 MARC A. LEVINSON, ESQ.  
 ANNE M. LORADITCH, ESQ.  
*Counsel for the Official Committee of Equity  
 Security Holders of USA Capital Diversified  
 Trust Deed Fund, LLC*

17 Approved/Disapproved  
 WOODBURY & KESSLER

18 By: /s/ Russell Walker  
 RUSSELL WALKER, ESQ.  
*Counsel for USA Investment Partners, LLC*

Approved / Disapproved by:  
 OFFICE OF THE U.S. TRUSTEE

By: AUGUST B. LANDIS, ESQ.

Approved/Disapproved by:  
 GORDON & SILVER, LTD.

By: GREGORY E. GARMAN, ESQ.  
*Counsel for the Official Committee of  
 Holders of Executory Contract Rights of  
 USA Commercial Mortgage Company*

Approved/Disapproved by:  
 STUTMAN TREISTER & GLATT, P.C. and  
 SHEA & CARLYON, LTD.

By: EVE KARASIK, ESQ.  
CANDACE C. CARLYON, ESQ.  
*Counsel for the Official Committee of  
 Equity Security Holders of USA Capital  
 First Trust Deed Fund LLC*

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

The court has waived the requirement of approval under LR 9021.

No parties appeared or filed written objections, and there is no trustee appointed in the case.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

*Failed to respond: Office of the U.S. Trustee, Gordon & Silver, Ltd., Stutman Treister & Glatt and Shea & Carlyon, Ltd.*

# # #

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